

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
GREENVILLE DIVISION**

**FELICIA MCCOOL, On Behalf of
KENYA ROPER,**

VS.

PLAINTIFF,

CIVIL ACTION NO. 4:07CV130-P-B

COMMISSIONER OF SOCIAL SECURITY,

DEFENDANT.

FINAL JUDGMENT

This matter comes before the court upon the Report and Recommendation of the U.S. Magistrate Judge [14] that the Defendant's Motion to Dismiss [7] be granted. After due consideration of the report, the court finds as follows, to-wit:

The deadline by which the plaintiff had to file an objection to the U.S. Magistrate Judge's Report and Recommendation was on or about March 13, 2008 – *i.e.*, ten business days plus three days to account for mailing. No objection was filed.

After reviewing the Report and Recommendation, the court concludes that it will adopt and incorporate the U.S. Magistrate Judge's recommendation.

IT IS THEREFORE ORDERED AND ADJUDGED that:

- (1) The Defendant's Motion to Dismiss [7] is hereby **GRANTED**; therefore,
- (2) The plaintiff's claims are **DISMISSED WITH PREJUDICE**; and
- (3) This case is **CLOSED**.

SO ORDERED this the 24th day of March, A.D., 2008.

/s/ W. Allen Pepper, Jr.

W. ALLEN PEPPER, JR.

UNITED STATES DISTRICT JUDGE